



IFW 2828

PATENT
Attorney Docket No. OPT-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): KRASULICK, ET AL.
SERIAL NO.: 10/005,065 GROUP NO.: 2828
FILING DATE: December 4, 2001 EXAMINER: Quyen Phan Leung
TITLE: Electro-Absorption Modulated Laser With High Operating Temperature Tolerance

Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Sir:

Upon reviewing the above-identified Patent Application file, we have realized that the Articles Cited in the Supplemental Information Disclosure Statement filed on July 1, 2005 were cited in a Japanese Patent Office Action more than three months prior to the filing date of the Supplemental Information Disclosure Statement and, therefore, we are required to pay the fee set forth in §1.17(p). The two Articles were cited in an Office Action for a counterpart Japanese Application on March 28, 2005.

We hereby authorize the Commissioner to Charge the fee set forth in §1.17(p) for \$180.00 to Deposit Account No. 501211.

Enclosed is a copy of the Supplemental Information Disclosure Statement filed on July 1, 2005. It is respectfully requested that each of the references shown on Form PTO-1449 be made of record in this application.

Respectfully submitted,

Kurt Rauschenbach
Atty/Agent for Applicant(s)
Rauschenbach Patent Law Group, LLC
Post Office Box 387
Bedford, MA 01730

Date: July 26, 2005
Reg. No. 40,137

Tel. No.: (781) 271-1503
Fax No.: (781) 271-1527



 **COPY**

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APPLICANT(S): KRASULICK, ET AL.
SERIAL NO.: 10/005,065 GROUP NO.: 2828
FILING DATE: December 4, 2001 EXAMINER: Quyen Phan Leung
TITLE: Electro-Absorption Modulated Laser With High Operating Temperature Tolerance

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. §1.97, Applicants hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the references are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three months of the Filing Date of a national application other than a continued prosecution application under § 1.53(d); or within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or before the mailing of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a Final Action or Notice of Allowance, and
- ☒ the Statement required under § 1.97(e) below , OR
- ☐ the fee set forth in § 1.17(p), namely \$180.00, is included herein, or
- ☐ (3) after the mailing date of a Final Action or Notice of Allowance but before the payment of the Issue Fee, AND
- ☐ the Statement required under § 1.97(e) below; and

07/29/2005 RFEKADU1 00000028 10005065

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10005065

07/29/2005 RFEKADU1 00000028 501211

180.00 DA

☐ the fee set forth in § 1.17(p), namely \$180.00 is included herein.

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application.

STATEMENT

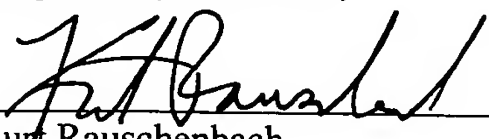
As required under §1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

- ☒ 1. That each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- ☐ 2. That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

FEE AUTHORIZATION

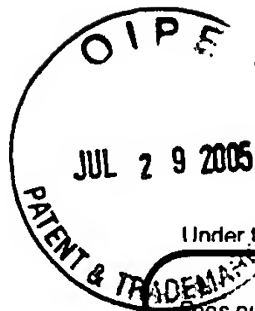
Applicants believe that there is no fee associated with this submission, however should it be determined that a fee is due, the Commissioner is hereby authorized to charge the missing fee to our Deposit Account, No. 501211.

Respectfully submitted,


Kurt Rauschenbach
Atty/Agent for Applicant(s)
Rauschenbach Patent Law Group, LLC
Post Office Box 387
Bedford, MA 01730

Date: July 1, 2005
Reg. No. 40,137

Tel. No.: (781) 271-1503
Fax No.: (781) 271-1527



JUL 29 2005

PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL
For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 180.00**Complete if Known**

Application Number	10/005,065
Filing Date	12/4/2001
First Named Inventor	Krasulick
Examiner Name	Quyen Phan Leung
Art Unit	2828
Attorney Docket No.	OPT-003

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 501211 Deposit Account Name: Rauschenbach Patent Law Group, LLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
0 - 20 or HP =	x	=				

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Submission of an Information Disclosure Statement

Fees Paid (\$)

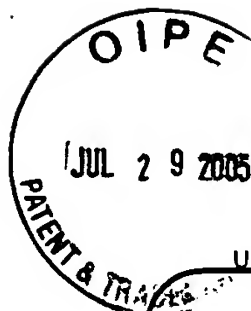
\$180.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 40.137	Telephone 781.271.1503
Name (Print/Type)	Kurt Rauschenbach		Date July 26, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TRANSMITTAL FORM (to be used for all correspondence after initial filing) (not including cited References) Total Number of Pages in This Submission	Application Number	10/005,065
	Filing Date	12/4/2001
	First Named Inventor	Krasulick
	Art Unit	2828
	Examiner Name	Quyen Phan Leung
6	Attorney Docket Number	OPT-003

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Letter (1 pg.); Return Receipt Postcard; and Copies of: SIDS (2 pgs.), Form PTO-1449 (1 pg.), References C5-C6, and Transmittal Form (1 pg.).
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Rauschenbach Patent Law Group, LLC		
Signature			
Printed name	Kurt Rauschenbach		
Date	July 26, 2005	Reg. No.	40,137

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Kurt Rauschenbach	Date	July 26, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08b (08-03)
Approved for use through 06/30/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

1

Attorney Docket Number

Complete if Known

Application Number

10/005,065

Filing Date

12/4/2001

First Named Inventor

Krasulick

Art Unit

2828

Examiner Name

Quyen Phan Leung

Attorney Docket Number

OPT-003

NON PATENT LITERATURE DOCUMENTS

Examiner
Initials*Cite
No.¹

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

 T^2

C5

CLESCA, 3.2nm Wavelength Tuning Via Temperature Control For Integrated Electroabsorption Modulator/DFB Laser With High Tolerance To Chromatic Dispersion, Electronics Letters, May 9, 1996, Pgs. 927-928, Vol. 32, No. 10.

C6

CLESCA, 2.5-Gbit/s, 1291-km Transmission Over Non-Dispersion-Shifted Fibre Using An Integrated Electroabsorption Modulator/DFB Laser Module, Proc. 21st Eur. Conf. on Opt.Comm., 1995. Pgs. 995-996, Brussels, Belgium.

**Examiner
Signature**

Date _____

Considered

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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